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**TAYLOR WALES**

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \*

THE BANK OF NEW YORK MELLON FKA  
THE BANK OF NEW YORK, AS TRUSTEE FOR  
THE CERTIFICATEHOLDERS OF CWALT,  
INC. ALTERNATIVE LOAN TRUST 2005-23CB  
MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2005-23CB.

Case No.: 2:17-cv-02896-JCM-GWF

**STIPULATION AND [PROPOSED] ORDER TO  
EXTEND SUBMISSION DATE FOR JOINT PRE-  
TRIAL ORDER**

## [FIRST REQUEST]

VS

V.S.

TAYLOR WALES, FIRST CALIFORNIA  
MORTGAGE COMPANY, LOS PRADOS  
COMMUNITY ASSOCIATION,

## Defendants.

TAYLOR WALES.

## Counter-Claimant,

VS.

THE BANK OF NEW YORK MELLON FKA  
THE BANK OF NEW YORK, AS TRUSTEE FOR  
THE CERTIFICATEHOLDERS OF CWALT,  
INC. ALTERNATIVE LOAN TRUST 2005-23CB

1 MORTGAGE PASS-THROUGH  
2 CERTIFICATES, SERIES 2005-23CB,

3 Counter-Defendant.

4 TAYLOR WALES,

5 Third-Party Plaintiff,

6 vs.

7 RUGGED OAKS INVESTMENTS, LLC,

8 Third-Party Defendant.

10  
11       Defendant/Counter-Claimant/Third-Party Plaintiff TAYLOR WALES (“Wales”) and Third-Party  
12 Defendant Rugged Oaks Investments, LLC (“Rugged Oaks”), by and through their respective counsel of  
13 record, stipulate to extend the deadline to file the Joint Pre-Trial Order in this matter.

14       Good cause exists to grant the extension. This court previously dismissed The Bank of New York  
15 Mellon fka The Bank of New York, as Trustee for the Certificateholders of CWALT, Inc. Alternative  
16 Loan Trust 2005-23CB Mortgage Pass-Through Certificates, SERIES 2005-23CB (“BoNYM”) claims  
17 based upon a statute of limitations issue. [ECF No. 66]. More recently, on January 7, 2020, this Court  
18 granted BoNYM’s motion for summary judgment [ECF No. 79] while denying Wales’ motion for  
19 summary judgment [ECF. 83] and Rugged Oaks’ motion to dismiss [ECF No. 74]. [ECF No. 91]. Since  
20 that time, the parties have actively engaged in settlement negotiations to attempt to reach a mediated global  
21 resolution of all the parties’ competing claims concerning the property and avoid incurring additional  
22 litigation costs. To help facilitate a settlement, the parties have agreed to mediation with Hon. David Wall  
23 (Ret.) at JAMS on March 20, 2020.

24       According to the Court’s most recent stipulated order amending case deadlines filed March 26,  
25 2019 [ECF No. 76], the deadline for the proposed joint pretrial order was June 24, 2019. Given the Court’s  
26 January 7, 2020 ruling on the cross-motions for summary judgment and motion to dismiss, Wales and  
27 Rugged Oaks are due to submit a proposed joint pretrial order. To help facilitate the scheduled March 20,  
28 2020 mediation and help preserve both party and judicial resources by preventing the commencement of

1 a trial or appeal when the action may be otherwise resolved, Wales and Rugged Oaks request that Court  
2 extend the deadline to submit a pre-trial order to March 27, 2020. This is the first request for an extension  
3 of time on the submission date of a joint pretrial order. This request is made in good faith and not made  
4 for purposes of delay.

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6 Dated: this 3<sup>rd</sup> day of March, 2020

7 SPRINGEL & FINK LLP

8 */s/ Adam H. Springel*

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*Attorneys for The Bank of New York Mellon*

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18 IT IS SO ORDERED:

ORDER

*Layna J. Zouchal*  
UNITED STATES MAGISTRATE JUDGE

DATED: March 4, 2020